

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| UNITED STATES OF AMERICA | : | <u>PARTIAL VACATUR OF FINAL</u> |
| | : | <u>ORDER OF FORFEITURE AS TO</u> |
| -v.- | : | <u>CERTAIN SPECIFIC PROPERTY</u> |
| | : | |
| AMIR MEIRI, | : | S4 15 Cr. 627 (ER) |
| | : | |
| Defendant. | : | |
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WHEREAS, on or about April 16, 2018, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Properties (the “Preliminary Order of Forfeiture”) (D.E. 292), which ordered the forfeiture to the United States of all right, title and interest of AMIR MEIRI (the “Defendant”) in, *inter alia*, \$442,345.85 held in escrow by Joseph DeGaetano, Esq. (the “Escrow Account”;

WHEREAS, on or about October 17, 2018, a Petition and Request for Ancillary Hearing and Related Relief asserting an interest in, *inter alia*, the Escrow Account was filed by third-parties Petermark II LLC and Advill Capital LLC (the “Petermark Petition”) (D.E. 439);

WHEREAS, on or about October 25, 2018, a Petition and Request for Ancillary Hearing and Related Relief asserting an interest in, *inter alia*, the Escrow Account was filed by third-parties Zion Hamo, Jacob Samra and Orly Samra (the “Hamo Petition”) (D.E. 445);

WHEREAS, on or about March 4, 2019, the Government moved to dismiss the Petermark Petition and the Hamo Petition pursuant to Federal Rule of Criminal Procedure 32.2(c)(1) for lack of standing and failure to state a claim (the “Motion to Dismiss”)(D.E. 545);

WHEREAS, the Motion to Dismiss is fully submitted and the parties are awaiting a decision by this Court;

WHEREAS, on or about January 10, 2022, the Government moved for the entry of a Final Order of Forfeiture forfeiting all right, title and interest of certain assets, inadvertently including the Escrow Account;

WHEREAS, on or about January 11, 2022, the Court entered a Final Order of Forfeiture (D.E. 838), which ordered the forfeiture to the United States of, *inter alia*, all right, title and interest of AMIR MEIRI (the “Defendant”) in \$442,345.85 held in escrow by Joseph DeGaetano, Esq. (the “Escrow Account”);

WHEREAS, the Government requests the Final Order of Forfeiture be vacated as to the Escrow Account so that the Petermark Petition and Hamo Petition be adjudicated by this Court;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. The Final Order of Forfeiture as to the Escrow Account is hereby vacated.
2. The Final Order of Forfeiture shall remain in full force and effect in all other aspects.

Dated: New York, New York
February 22, 2022

SO ORDERED:

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written over a horizontal line.

HONORABLE EDGARDO RAMOS
UNITED STATES DISTRICT JUDGE